

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 348

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Ben D. Altamirano

AN ACT

RELATING TO AVIATION; PROVIDING FOR A DISTRIBUTION OF GROSS RECEIPTS TAX REVENUE FOR PLANNING, CONSTRUCTION, EQUIPMENT, MATERIALS AND MAINTENANCE OF AIRPORTS AND RELATED FACILITIES; AMENDING SECTIONS OF THE NMSA 1978; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 7-1-6.7 NMSA 1978 (being Laws 1994, Chapter 5, Section 2, as amended) is amended to read:

"7-1-6.7. DISTRIBUTIONS--STATE AVIATION FUND.--

A. A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the state aviation fund in an amount equal to four and thirty-one hundredths percent of the taxable gross receipts attributable to the sale of fuel specially prepared and sold for use in turboprop or jet-type engines as determined by the department.

.150120.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 B. A distribution pursuant to Section 7-1-6.1 NMSA
2 1978 shall be made to the state aviation fund in an amount
3 equal to twenty-six hundredths percent of gasoline taxes,
4 exclusive of penalties and interest, collected pursuant to the
5 Gasoline Tax Act.

6 C. From July 1, 2002 through June 30, 2007, a
7 distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be
8 made to the state aviation fund in an amount equal to forty-six
9 thousandths percent of the net receipts attributable to the
10 gross receipts tax distributable to the general fund.

11 D. A distribution of five million dollars
12 (\$5,000,000) in revenue attributable to the gross receipts
13 taxes on aircraft, aviation services and aircraft parts and
14 accessories remitted by aircraft dealers and airports shall be
15 made to the state aviation fund for the purpose of matching
16 federal funds for the planning, construction, equipment,
17 materials and maintenance of airports and related facilities."

18 Section 2. Section 64-1-15 NMSA 1978 (being Laws 1963,
19 Chapter 314, Section 7, as amended) is amended to read:

20 "64-1-15. EARMARKED TAXES--APPROPRIATION.--There is
21 created in the state treasury the "state aviation fund". The
22 state treasurer shall credit to the state aviation fund all
23 unrefunded taxes collected on the sale of motor fuel sold for
24 use in aircraft. All income to the state aviation fund is
25 appropriated to the division. The amounts distributed to the

.150120.1

underscored material = new
[bracketed material] = delete

1 state aviation fund pursuant to Subsection A of Section 7-1-6.7
2 NMSA 1978 shall be used for planning, construction and
3 maintenance of a system of airports, navigation aids and
4 related facilities serving New Mexico. The amounts distributed
5 to the state aviation fund pursuant to Subsection C of Section
6 7-1-6.7 NMSA 1978 shall be used for the air service assistance
7 program. All expenditures shall be made in accordance with
8 budgets approved by the department of finance and
9 administration. The amounts distributed to the division
10 pursuant to Subsection D of Section 7-1-6.7 NMSA 1978 shall be
11 used for the purpose of matching federal funds for the
12 planning, construction, equipment, materials and maintenance of
13 airports and related facilities."

14 Section 3. EFFECTIVE DATE.--The effective date of the
15 provisions of this act is July 1, 2004.

16 - 3 -